

PROB 12A  
(6/21)

**United States District Court**  
**for**  
**District of New Jersey**  
**Report on Individual Under Supervision**

**Name of Individual Under Supervision:** Zackary McFerren

**Docket:** 16-00190-001;  
20-00053-001  
**PACTS #:** 2223033

**Name of Sentencing Judicial Officer:** THE HONORABLE JEROME B. SIMANDLE  
SENIOR UNITED STATES DISTRICT JUDGE

**Name of Judicial Officer:** THE HONORABLE NOEL L. HILLMAN  
SENIOR UNITED STATES DISTRICT JUDGE  
(Reassigned on August 5, 2019)

**Original Offense:** 16-00190-001:  
Count One: Possession of Child Pornography; 18 U.S.C. § 2252A(a)(5)(B) and (b)(2)  
Count Two: Transferring Obscene Material to a Minor; 18 U.S.C. § 1470

20-00053-001:  
Count One: Transferring Obscene Material to Minors; 18 U.S.C. § 1470  
Count Two: Transferring Obscene Material to Minors; 18 U.S.C. § 1470

**Date of Original Sentence:** 16-00190-001: 10/17/2016; 20-00053-001: 04/23/2021

**Original Sentence:** 16-00190-001: 33 months imprisonment (on Counts One and Two, to run concurrently), 5 years supervised release (on Counts One and Two, to run concurrently); 20-00053-001: 33 months imprisonment (on Counts One and Two, to run concurrently), 3 years supervised release (on Counts One and Two, to run concurrently)

**Violation of Supervised Release:** 16-00190-001: Heard on 04/23/2021, resentenced to 24 months imprisonment (on each count to run concurrently with each other and consecutively to the 33 month sentence imposed on Crim. No.: 20-53), 10 years supervised release (10 years on Count One and 3 years on Count two, to run concurrently)

**Special Conditions:** Special Assessment, Alcohol/Drug Testing and Treatment, Denial of Computer, Computer Monitoring, Financial Disclosure, Mental Health Treatment, Restricted Contact with Minors, New Debt Restrictions, Polygraph Examination, Consent to Search, Life Skills/Education, Sex Offender Treatment

Type of Supervision: Supervised Release Date Supervision Commenced: 08/24/2023

**NONCOMPLIANCE SUMMARY**

The individual under supervision has not complied with the following condition(s) of supervision:

Violation Number    Nature of Noncompliance

1	On September 21, 2023, Mr. McFerren submitted to a polygraph examination. According to the examiner, when questioned about contact with minors, Mr. McFerren responded that he did not have any contact. After further questioning,
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Mr. McFerren did admit that while under the jurisdiction of the Bureau of Prisons and residing at the halfway house, he opened an account on the dating application “Hinge”. Mr. McFerren admitted that he conversed with several individuals that “looked young”. He also divulged that he exchanged nude photographs with an individual that he would later learn was a 17-year-old boy.

U.S. Probation Officer Action:

On September 21, 2023, Mr. McFerren contacted the undersigned to discuss the results of the polygraph examination. He indicated that he has not had contact with any individuals that he met via the Hinge dating application since his release from the Bureau of Prisons.

Upon the commencement of Mr. McFerren’s term of supervised release, August 24, 2023, he surrendered the smart phone to his father, who allegedly sold the device. Currently, Mr. McFerren does not have a smart phone or any internet capable device in his possession.

At this time, it is the probation office’s plan to administer a follow up polygraph examination in 30 days of this report and collaborate with Mr. McFerren’s sex offender specific treatment provider to address the results of this examination.


Respectfully submitted,

SUSAN M. SMALLEY, Chief  
U.S. Probation Officer

By: MATTHEW J. WEBER  
Senior U.S. Probation Officer

/ mjw

APPROVED:


  
\_\_\_\_\_  
ANTHONY M. STEVENS  
Supervising U.S. Probation Officer

9/26/23

Date

*Please check a box below to indicate the Court’s direction regarding action to be taken in this case:*

- ☒ No Formal Court Action to be Taken at This Time (as recommended by the Probation Office)
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

So Ordered this 26<sup>th</sup> day  
of September, 2023  
  
Hon. Noel L. Hillman, USDJ